

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Stipulated Surrender Pursuant to
Business and Professions Code Section 2751 By:

JANET CATHERINE RUETTEN
1257 Aguirre Drive
Chula Vista, CA 91910

Registered Nurse License No. 529837
Public Health Nurse Certificate No. 57152

Respondent

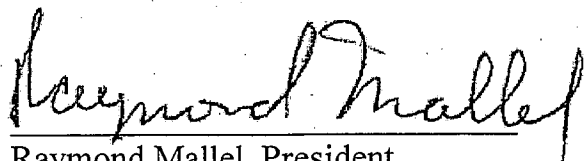
Case No. 2013-559

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **April 15, 2013.**

IT IS SO ORDERED **April 15, 2013.**



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

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BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Stipulated Surrender
11 Pursuant to Business and Professions Code
12 Section 2751 By:

Case No. 2013-559

13 **JANET CATHERINE RUETTEN**
14 **1257 Aguirre Drive**
Chula Vista, CA 91910

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 **Registered Nurse License No. 529837**
16 **Public Health Nurse Certificate No. 57152**

17 Respondent.

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
19 proceeding that the following matters are true:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Executive Officer of the Board
22 of Registered Nursing. She brought this action solely in her official capacity and is represented in
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Sydney M.
24 Mehringer, Deputy Attorney General.

25 2. Janet Catherine Ruetten ("Respondent") is representing herself in this proceeding and
26 has chosen not to exercise her right to be represented by counsel.

27 3. On or about February 18, 1997, the Board of Registered Nursing issued Registered
28 Nurse License No. 529837 to Respondent. On or about March 26, 1997, the Board issued Public

1 Heath Nurse Certificate No. 57152 to Respondent. The Registered Nurse License and Public
2 Health Certificate are currently inactive and will expire on October 31, 2014, unless renewed.

3 JURISDICTION

4 4. This matter is brought before the Board pursuant to Business and Professions Code
5 (Code) section 2751, which states:

6 "(a) Notwithstanding any other law, the board may, in its discretion, accept the surrender of
7 a license through a stipulated agreement in the absence of a pleading when the ability of a
8 registered nurse to practice nursing safely is impaired due to mental or physical illness."

9 "(b) This alternative proceeding shall apply only to cases that would otherwise have been
10 processed pursuant to Section 820.¹

11 "(c) Until the time that the licensee signs the stipulated agreement for license surrender, he
12 or she may elect to have the disciplinary process conducted pursuant to Chapter 5 (commencing
13 with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

14 "(d) The stipulated agreement in this alternative proceeding shall specify that:

15 "(1) The license surrender shall be public information and shall be considered a
16 disciplinary action.

17 "(2) The licensee may petition the board for reinstatement after a period of not less
18 than one year after the effective date of the decision.

19 "(3) Any reinstatement proceeding shall be conducted pursuant to Section 2760.1."

20 "(4) Upon seeking reinstatement, it is the responsibility of the former licensee to
21 submit competent evidence of the ability to safely and competently practice as a registered
22 nurse."

23 ///

24 ¹ Code section 820 authorizes licensing agencies to order examination of a licensee by
25 agency-designated physicians or psychologists "[w]henever it appears that any person holding a
26 license, certificate or permit under this division or under any initiative act referred to in this
27 division may be unable to practice his or her profession safely because the licentiate's ability to
28 practice is impaired due to mental illness, or physical illness affecting competency. . . The report
of the examiners shall be made available to the licentiate and may be received as direct evidence
in proceedings conducted pursuant to Section 822." Code section 821 states that "[t]he
licentiate's failure to comply with an order issued under Section 820 shall constitute grounds for
the suspension or revocation of the licentiate's certificate or license."

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6. Respondent is fully aware of her legal rights in this matter, including the right to be represented by counsel at her own expense; the right to elect formal administrative adjudication of this matter following the Board's filing of a pleading; and all the other rights accorded by the California Administrative Procedure Act pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

STIPULATED SURRENDER

9. Respondent hereby surrenders Registered Nurse License No. 529837 and Public Health Nurse Certificate No. 57152 for the Board's formal acceptance.

CONTINGENCY

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1 between the parties, and the Board shall not be disqualified from further action by having
2 considered this matter.

3 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of
4 License and Order, including facsimile signatures thereto, shall have the same force and effect as
5 the originals.

6 13. This Stipulated Surrender of License and Order is intended by the parties to be an
7 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
8 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
9 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
10 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
11 executed by an authorized representative of each of the parties.

12 14. In consideration of the foregoing admissions and stipulations, the parties agree that
13 the Board may, without further notice or formal proceeding, issue and enter the following Order:

14 **ORDER**

15 IT IS HEREBY ORDERED that Registered Nurse License No. 529837 and Public Health
16 Nurse Certificate No. 57152, issued to Respondent Janet Catherine Ruetten, are surrendered and
17 accepted by the Board of Registered Nursing.

18 1. The surrender of Respondent's license and certification and the acceptance of the
19 surrendered license and certification by the Board shall be public information and shall constitute
20 the imposition of discipline against Respondent. This stipulation constitutes a record of the
21 discipline and shall become a part of Respondent's license history with the Board.

22 2. Respondent shall lose all rights and privileges as a Registered Nurse and Public
23 Health Nurse in California as of the effective date of the Board's Decision and Order.

24 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
25 issued, her wall certificate on or before the effective date of the Decision and Order.

26 4. If Respondent ever files an application for licensure or a petition for reinstatement in
27 the State of California, the Board shall treat it as a petition for reinstatement. Any reinstatement
28 proceeding shall be conducted pursuant to Business and Professions Code section 2760.1.

1 Respondent must comply with all the laws, regulations and procedures for reinstatement of a
2 revoked license in effect at the time the petition is filed, and all of the admissions and stipulations
3 contained in this Stipulated Surrender of License and Disciplinary Order shall be deemed to be
4 true, correct and admitted by Respondent when the Board determines whether to grant or deny the
5 petition. Upon seeking reinstatement, it is the responsibility of the former licensee to submit
6 competent evidence of her ability to safely and competently practice as a registered nurse.

7 5. Respondent shall not apply for licensure or petition for reinstatement for one (1) year
8 from the effective date of the Board of Registered Nursing's Decision and Order.

9 ACCEPTANCE

10 I have carefully read the Stipulated Surrender of License and Order. I understand the
11 stipulation and the effect it will have on my Registered Nurse License and Public Health Nurse
12 Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly,
13 and intelligently, and agree to be bound by the Decision and Order of the Board of Registered
14 Nursing.

15
16 DATED: 2-6-13

Janet Catherine Ruetten

JANET CATHERINE RUETTEN
Respondent

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19 ENDORSEMENT

20 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
21 for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

22 Dated: January 22, 2013

Respectfully submitted,

23 KAMALA D. HARRIS
24 Attorney General of California
25 KAREN B. CHAPPELLE
26 Supervising Deputy Attorney General

27 *Sydney M. Mehringer*
28 SYDNEY M. MEHRINGER
Deputy Attorney General
Attorneys for Complainant

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